

# Bluffs Vision Urban Renewal Plan

City of Council Bluffs, Iowa



Original Area Adopted \_\_\_\_\_, 2016

## Bluffs Vision Urban Renewal Plan

The Iowa West Foundation has requested urban renewal actions on 18.72 acres of land located within the existing Mid-America Center (MAC) Urban Renewal Area (f/k/a MARCC Urban Renewal Area). This property, legally described in Exhibit A hereto, will be included in a new urban renewal area to be known as the Bluffs Vision Urban Renewal Area. A corresponding amendment removing this land from the MAC Urban Renewal Area will be adopted prior to the adoption the Bluffs Vision Urban Renewal Area. The land to be included in the Bluffs Vision Urban Renewal Area is intended to be used for a proposed hotel, indoor recreational facility, renovated retail spaces, and parking lots. Assistance in the form of an urban renewal project area, conforming to Section 403 of the Iowa Code, is necessary to assist with incentivizing or implementing these proposed projects.

Actions necessary for the redevelopment of the site include but are not limited to land disposition, site preparations, utility relocations, and possible enhancements to traffic control and other traffic enhancements using the existing street network. The property is currently zoned PC/Planned Commercial District. The general location and boundaries of the Bluffs Vision Urban Renewal Area (“Area” or “Urban Renewal Area”) are shown in Exhibit B.

Assistance in the form of an urban renewal area, conforming to Section 403 of the Iowa Code, may be necessary to, among other things, acquire land; improve regulatory control; improve transportation access; improve public infrastructure and facilities; and to allow for and/or incentivize private development or redevelopment. More specifically, this area has been declared an economic development area, conforming to Section 403.2(3) of the Iowa Code. This Plan is to be called the Bluffs Vision Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Bluffs Vision Urban Renewal Area (“Area” or “Urban Renewal Area”), and its purpose, objectives and project proposals are described within this document.

### **DESCRIPTION OF THE URBAN RENEWAL AREA**

The existing land use of the Urban Renewal Area includes public parking lots and a 70,000 square foot retail building. The Area is zoned PC/Planned Commercial District. Property located outside of the Area to the east is designated PC/Planned Commercial District. This Plan does not in any way replace or modify the City’s current land use planning or zoning regulation process.

### **AREA DESIGNATION**

The Bluffs Vision Urban Renewal Area is being designated as an economic development area, as defined in Iowa Code Section 403.17 (10) and it is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Further it is necessary to provide the means and methods for the encouragement and assistance of commercial enterprises to locate, purchase, construct, reconstruct, modernize, improve, maintain, repair, furnish equip and expand in the City of Council Bluffs. Such nonresidential use is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

## **PURPOSE**

The City of Council Bluffs intends to take actions necessary to achieve additional commercial development within the Bluffs Vision Urban Renewal Area. Specifically, the City proposes to assist with the renovation and development of new commercial development. This includes providing assistance to an entity or entities intending to construct and operate an approximately 98,050 square foot indoor recreational facility, an approximately 132 room hotel, a renovated 70,000 square feet retail/commercial building, and improvements to adjacent parking lots and landscaping. The initial project investment is estimated at \$40.2 million including building costs. The City's assistance for this commercial opportunity may include contributions toward or construction of public infrastructure or the making of loans, grants, property tax rebates, or other incentives to assist with the acquisition, and/or grading or other costs of the projects. The City's assistance may include the use of tax increment financing under Iowa Code section 403.19.

## **PROJECT OBJECTIVES**

This Plan is intended to strengthen the economy, enhance the viability, and stimulate the development of the proposed Urban Renewal Area and the surrounding community through the elimination of those factors which have inhibited the full development of the Area. The proposed commercial development will help accomplish this. This Plan is intended to achieve one or more of the following objectives:

1. Protect the health, safety and general welfare of City residents through the removal or elimination of substandard conditions that exist in the Area.
2. Provide for the improvement of public streets and infrastructure to adequately support the desired land use by correcting any substandard physical conditions and upgrading or installing public infrastructure to support existing and probable levels of additional development to contemporary standards and requirements.
3. Provide for the creation of a unified land use district throughout the Urban Renewal Area whose physical development is consistent with existing and anticipated adjacent land uses.
4. Reduce visual clutter occurring within the Area and establish specific signage and landscaping plans.
5. Provide for adequate public utility services to ensure the development of the Area.
6. Provide for the appropriate public storm water drainage and control to promote the development of the Area.
7. To promote revitalization.
8. To stimulate through public action and commitment, private investment in new development.

9. To provide for the installation of public works and facilities which contribute to the sound development in the Area.
10. To plan for and provide sufficient land for industrial development in a manner that is efficient from the standpoint of providing municipal services.
11. To provide a more marketable and attractive investment climate.
12. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
14. To cause additional economic development which benefits the public welfare through the creation of jobs and investment.
15. Provide for adequate and improved vehicular ingress and egress to all properties within the Area.
16. Provide for adequate water and sanitary sewer services to ensure the development of the Area.
17. Provide for the appropriate stormwater drainage and control to promote development.
18. To ensure the Area is adequately served by public safety services and facilities.
19. To improve recreational, tourism, cultural, and educational opportunities.

### **TYPES OF RENEWAL ACTIVITIES**

The proposed actions in the Urban Renewal Area for the Bluffs Vision Urban Renewal Plan may consist of one or more of the following actions as allowed by Chapter 403 and Chapter 15A of the Iowa Code.

- a. Dedicate, sell, convey or lease any interest in City property, or grant easements, licenses or other rights or privileges.
- b. Incur the expense of any public improvements made by the City through exercising the powers granted by Chapter 403 of the Iowa Code.
- c. Do any and all things necessary to aid or cooperate in planning of the Urban Renewal Area or projects.
- d. Lend, grant or provide incentives to entities, including private individuals or businesses, which further the objectives of this Plan.

- e. Enter into agreements respecting actions to be taken pursuant to any of the powers granted by Chapter 403 or Chapter 15A of the Iowa Code.
- f. Cause public buildings and public facilities, including parks, playgrounds, and recreational, community, educational, water, sewer or drainage facilities, or any other works which the City is otherwise empowered to undertake to be furnished.
- g. Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, sidewalks, ways or other places.
- h. Plan or replan, zone or rezone any part of the Area.
- i. Cause administrative and other services to be furnished to the City.
- j. Use condemnation powers under Section 403.7 and Chapters 6A and 6B of the Iowa Code or other authority to acquire property for uses allowed under urban renewal law.
- k. To fund or finance economic development projects.
- l. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
- m. To arrange for or cause to be provided the construction or repair of public infrastructure, including but not limited to streets, storm water drainage, sanitary sewer system, water system, public utilities or other facilities in connection with urban renewal projects.
- n. To make grants, loans, forgivable loans, tax rebate payments or other types of economic development grants or incentives to private persons or businesses on such terms as may be determined by the City Council.
- o. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
- p. To borrow money and to provide security therefor.
- q. To use any or all other powers granted by Chapter 403 (the Urban Renewal Act), Chapter 15, Chapter 15A, Chapter 427.B or other provisions of the Code of Iowa to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City by any provision of the Code of Iowa in furtherance of the objectives of this Plan.

### **ELIGIBLE URBAN RENEWAL PROJECTS**

Although certain project activities may occur over a period of years, in addition to any projects previously proposed in the MAC Urban Renewal Plan, as previously amended, the eligible Urban Renewal Projects under this Amendment includes:

**Public Improvements:**

Project	Date	Estimated Cost	Rationale
Reconstruction of public parking lots at the MAC including adjacent landscaping, public sidewalk and streets.	FY 15-16 Through FY 20-21	\$1,000,000 To \$2,000,000	Poor soil conditions and insufficient pavement depth have resulted in deterioration of public park lots requiring reconstruction; improved lots will further economic development/redevelopment activity in the Urban Renewal Area.

**Development Agreements:**

Project	Date	Estimated Cost	Rationale
The City expects to enter a Development Agreement with the Iowa West Foundation (IWF) which provides economic development grants to be paid over up to 18 fiscal years using tax increment financing. IWF will act as the master developer for a project consisting of a proposed 134 room hotel, a proposed 98,050 sq ft recreational center and renovation of a 70,000 sq ft retail center. The project will be started in FY 15/16 and completed in FY 16/17.	FY 17/18 through FY 34/35	Not To Exceed \$13,500,000	<p>A full services hotel is needed to promote additional usage of the MAC Arena and convention Center.</p> <p>A recreational facility is desired to generate additional pedestrian and vehicular traffic in the MAC area and to meet the recreational needs of the community.</p> <p>A majority of 70 sq ft retail center built in 2003 has been unoccupied and is need of additional investment to be marketable to prospective commercial tenants.</p>

The City expects to consider requests for Development Agreements for other projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including, but not limited to, land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The costs of such Development Agreements will not exceed \$500,000 - \$1,000,000.

Planning, engineering fees (for urban renewal plans), attorney fees to support urban renewal projects and planning.

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$100,000

### **FINANCIAL DATA**

1.	July 1, 2015 constitutional debt limit:	\$157,206,626
2.	Current outstanding general obligation debt:	\$66,340,011
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is merely for planning purposes. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately \$15,100,000 to \$16,600,000 (This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area).	

### **DEVELOPMENT PLAN**

The City has a general plan for the physical development of the City, as a whole, which is its Comprehensive Plan: "Bluffs Tomorrow: 2030 Plan". The Bluffs Tomorrow: 2030 Plan identifies the area as commercial. The planned activity for the Area is the development of a hotel, indoor recreational facility, parking lots, and renovation retail space. This Urban Renewal Plan and the urban renewal projects described herein are in conformity with the Bluffs Tomorrow: 2030 Plan. The need for improved traffic, public transportation, public utilities, recreation and community facilities, or other public improvements within the Urban Renewal Area is set further in this Plan.

As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and incorporated into this Plan.

### **URBAN RENEWAL FINANCING**

The City of Council Bluffs intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Council Bluffs has the statutory authority to use a variety of tools to finance physical improvements within the Urban Renewal Area. These include:

a. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the tax increment district.

b. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Council Bluffs. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with blight remediation and/or commercial development or other urban renewal projects. In addition, the City may decide to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans, grants or other incentives. The City may work with Pottawattamie County, the State of Iowa, or other government agencies, as well as private and nonprofit organizations or foundations to obtain funding for project planning and implementation. The City may also sell property or services to fund projects in the Urban Renewal Area. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or



any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

### **PROPERTY ACQUISITION/DISPOSITION**

The City will follow any and all applicable requirements for the acquisition and disposition of property upon terms and conditions in the discretion of the City Council.

### **RELOCATION**

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

### **URBAN RENEWAL PLAN AMENDMENTS**

In accordance with Chapter 403 of the Code of Iowa, this Plan may be further amended or modified at any time. If the City desires to make any further change or modification of this Plan, it may do so in accordance with Chapter 403 of the Code of Iowa.

### **EFFECTIVE PERIOD**

This Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council.

Because this Urban Renewal Area is based on economic development findings and no part contains slum or blighted conditions, then the division of revenue allowed under 403.19 for that portion of the Area included in a TIF ordinance shall be limited to 20 years from the calendar year following the calendar year in which the City of Council Bluffs adopts the TIF ordinance and first certifies to the County auditor the amount of any loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in section 403.19. The City may elect to use multiple TIF ordinances as parcels develop. If so, each separate TIF ordinance will have a 20 year period for collection of revenues as allowed under Iowa Code Section 403.19.

### **PUBLIC BUILDING ANALYSIS**

No Urban Renewal Projects proposed in this Plan involve the use of tax increment for public buildings as defined in Chapter 403.

### **SEVERABILITY CLAUSE**

If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or any part of the Plan not determined to be invalid or unconstitutional.

**Exhibit A**  
**Legal Description for the Bluffs Vision Urban Renewal Area**

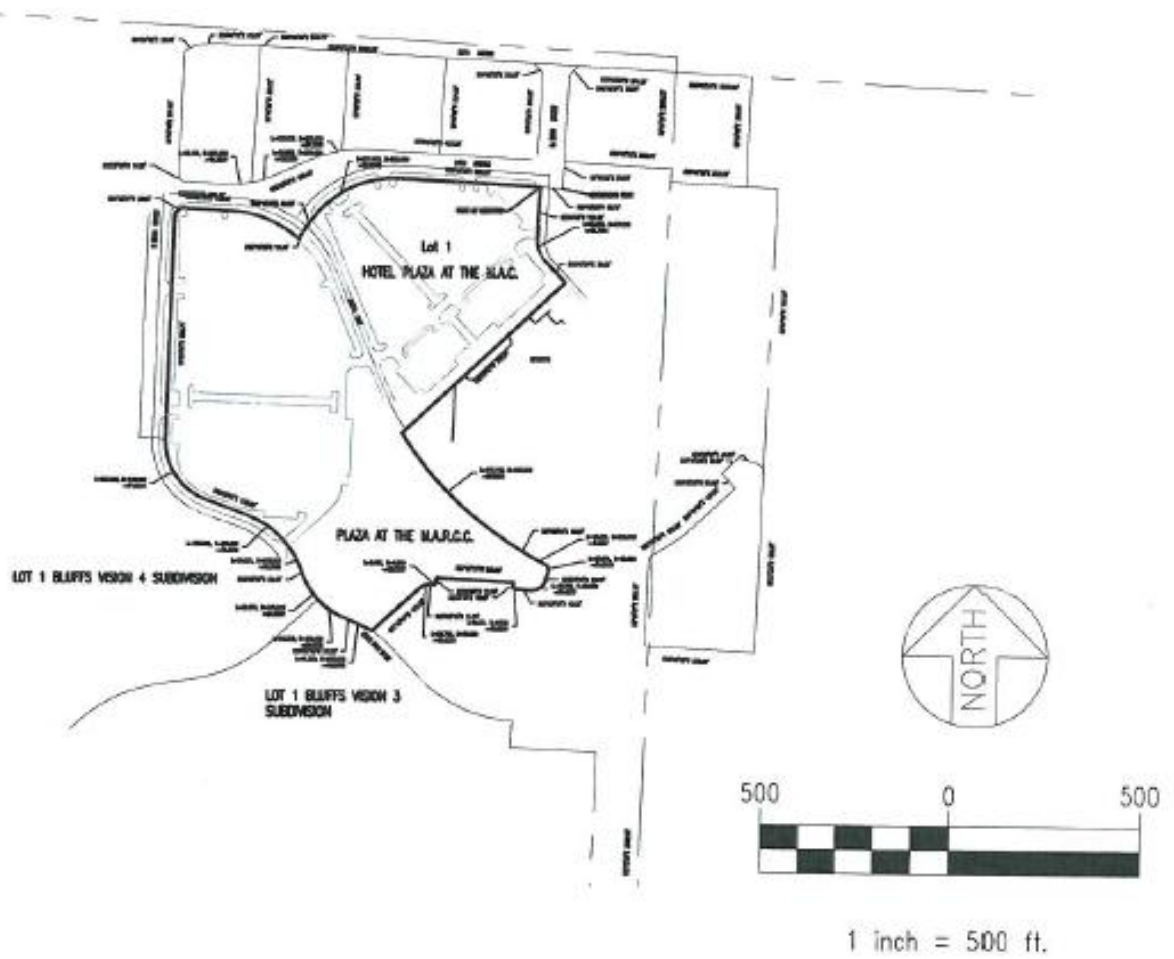
A part of lot 1, Hotel Plaza at the M.A.C. a subdivision located in the South ½ of Section 3, Township 74 North, Range 44 West; and also together with part of Plaza at the M.A.R.C.C., a subdivision located in the Southwest 1/4 of said Section 3; all located in the 5th Principal Meridian, City of Council bluffs, Iowa, more particularly described as follows:

Commencing at the point of intersection of the East right-of-way line of South 29th Street and the South right-of-way of 24th Avenue, said point also being on the North line of said Lot 1, Hotel Plaza at the M.A.C.; thence N86°49'38"W (assumed bearing), along said South right-of-way line of 24th Avenue, a distance of 55.73 feet to the point of beginning; thence S02°54'56"W, a distance of 134.25 feet; thence Southeasterly on a curve to the left with a radius of 87.00 feet, a distance of 69.45 feet, said curve having a long chord which bears S19°57'19"E, a distance of 67.63 feet; thence S42°49'34"E, a distance of 73.05 feet; thence S46°55'47"W, a distance of 583.81 feet to a point on the Northeasterly line of said Plaza at the M.A.R.C.C.; thence continuing Southeasterly along said Northeasterly line of Plaza at the M.A.R.C.C. on the following described courses; thence Southeasterly on a curve to the left with a radius of 913.00 feet, a distance of 413.12 feet, said curve having a long chord which bears S45°00'15"E, a distance of 409.60 feet; thence S57°58'01"E, a distance of 58.29 feet; thence Southeasterly on a curve to the left with a radius of 313.00 feet, a distance of 45.82 feet, said curve having a long chord which bears S62°09'38"E, a distance of 45.78 feet; thence Southwesterly on a curve to the right with a radius of 18.00 feet, a distance of 26.64 feet, said curve having a long chord which bears S23°56'38"E, a distance of 24.27 feet to a point on the southeasterly line of said Plaza at the M.A.R.C.C.; thence continuing Southwesterly along said Southeasterly line of Plaza at the M.A.R.C.C. on the following described courses; thence Southwesterly on a curve to the right with a radius of 36.00 feet, a distance of 46.79 feet, said curve having a long chord which bears S55°40'45"W, a distance of 43.56 feet; thence N87°05'13"W, a distance of 43.95 feet; thence Northwesterly on a curve to the right with a radius of 6.00 feet, a distance of 9.43 feet, said curve having a long chord which bears N42°05'13"W, a distance of 8.49 feet; thence N02°54'47"E, a distance of 12.00 feet; thence N87°05'13"W, a distance of 202.00 feet; thence S02°54'47"W, a distance of 12.00 feet; thence Westerly on a curve to the right with a radius of 6.00 feet, a distance of 9.43 feet, said curve having a long chord which bears S47°54'47"W, a distance of 8.49 feet; thence N87°05'13"W, a distance of 11.74 feet; thence Westerly on a curve to the left with a radius of 36.00 feet, a distance of 28.70 feet, said curve having a long chord which bears S70°04'17"W, a distance of 27.95 feet; thence S47°13'47"W, a distance of 167.33 feet to a point on the North right-of-way line of Bass Pro Drive; thence Westerly along the North right-of-way of Bass Pro Drive on the following described courses; thence Westerly on a curve to the left with a radius of 235.00 feet, a distance of 41.21 feet, said curve having a long chord which bears N62°48'45"W, a distance of 41.16 feet; thence N67°50'10"W, a distance of 54.53 feet; thence Westerly on a curve to the right with a radius of 165.00 feet, a distance of 69.33 feet, said curve having a long chord which bears S52°21'53"W, a distance of 68.82 feet to the Easterly corner of Bluffs Vision 4 Subdivision, a subdivision located in said Southwest 1/4 of Section 3; thence along the East line of said Bluffs Vision 4 Subdivision on the following described courses; thence Westerly on a curve to the right with a radius of 165.00 feet, a distance of 62.37 feet, said curve

having a long chord which bears N33°33'25"W, a distance of 62.00 feet; thence N22°43'43"W for a distance of 42.44 feet; thence Westerly on a curve to the left with a radius of 235.00 feet, a distance of 54.63 feet, said curve having a long chord which bears N29°23'19"W, a distance of 54.51 feet; thence northerly on a curve to the left with a radius of 235.00 feet a distance of 139.60 feet, said curve having a long chord which bears N53°03'58"W, a distance of 137.55 feet; thence N70°05'01"W a distance of 155.45; thence northerly on a curve to the right with a radius of 165.00 feet a distance of 207.29 feet, said curve having a chord which bears N34°05'35"W, a distance of 193.93 feet to a point on the east right of way line of South 23<sup>rd</sup> Street; Thence N1°53'53"E along said east right of way line of South 23<sup>rd</sup> Street a distance of 592.71; thence N47°32'07"E a distance of 20.99 feet to a point on the south right of way line of 24<sup>th</sup> Ave; thence easterly along the south right of way line of 24<sup>th</sup> Ave on the following described courses; thence S86°49'38"E a distance of 143.18 feet; thence southeasterly on a curve to the right with a radius of 265.00 feet a distance 183.74 feet, said curve having a long chord which bears S66°57'51"E a distance of 180.88; thence N35°18'33"E a distance of 17.49 feet; thence W35°18'33"E a distance of 42.80; thence easterly on a curve to the right with a radius of 265.00 feet a distance of 267.63 feet, said curve having a long chord which bears N64°14'28"E a distance of 256.40 feet; thence S86°49'39"E a distance of 370.36 to the point of beginning.

Said tract of land contains an area of 815293 Sq. Ft, or 18.72 Acres more or less.

**Exhibit B**  
**Map for the Bluffs Vision Urban Renewal Area**



**Exhibit C**  
**Map for the Bluffs Vision Urban Renewal Area and Adjacent Land**



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